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March 16, 2017

VIA ECF

Honorable Leonard D. Wexler
United States District Court,
Eastern District of New York
944 Federal Plaza
Central Islip, New York 11722

Re: Government Employees Ins. Co., et al. v. Rockville Centre Diagnostic Imaging, P.C., et al.
Docket No. 17-cv-00734 (LDW)(SIL)
RR File No.: 005100-02028

Dear Judge Wexler:

We represent Plaintiffs Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company, and GEICO Casualty Co. (collectively "Plaintiffs" or "GEICO") in the above-referenced matter. We write in response to the Letter Motion filed by Seth Leist ("Leist") seeking an extension of time to respond to the Complaint in this action.

Defendant Leist failed to timely respond to the Complaint, prompting Plaintiffs to file a Request for a Certificate of Default on March 7, 2017. See Docket No. 14. At 5:01 p.m. last evening, March 15, 2017, counsel for Leist emailed this office requesting an extension of time to respond to the Complaint. My colleague sent a return email at 5:09 p.m., advising counsel that Leist had failed to timely respond and simply inquired whether Leist was "willing to send us an affidavit explaining his delay and alleged meritorious defense . . ." Counsel for Leist responded that he did not believe that was necessary, and after further minor communications, filed this letter motion at 6:31 p.m. seeking an extension of time.

Plaintiffs will not waste the Court's time correcting Leist's misstatements or debating the merits of the case at this stage. Plaintiffs are certainly willing to be reasonable; however, the Defendants in this case apparently believe that they can ignore significant federal court deadlines and then demand that Plaintiffs consent to an extension, within minutes of a request and without any explanation for the Defendant's delay. Nevertheless, to avoid unnecessarily burdening the Court, Plaintiffs do not object to the requested extension to April 13, 2017, subject to approval by the Court.

We appreciate the Court's attention to this matter.

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Respectfully submitted,

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/s/ *Joshua D. Smith*
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cc: All counsel via ECF